

Notice of Allowability

Application No.

09/599,808

Examiner

Paul Nguyen-Ba

Applicant(s)

KOTLER ET AL.

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendments and Remarks filed on 6/7/2006.
2. ☒ The allowed claim(s) is/are 83-102.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/7/06, 3/28/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


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REASONS FOR ALLOWANCE

1. **Examiner Note:** As cited on Applicant's IDS filed on 3/28/2006, Patent Application Publication No. 2002/003276 is not a valid Patent Application Publication Number (Item 7), and therefore, was not considered by the Patent Office.

2. The following is an examiner's statement of reasons for allowance:

Applicant's particular computer-executable instructions for "creating a second free floating field partly in response to user selection of at least a portion of the text of the document, wherein the second free floating field is configured to contain the selected portion of the text" and interpreting user entry in a free floating field as applicable to spreadsheet functions (formula or non-text data) or as applicable to word processing functions (not a formula or non-text data) would not have been obvious over, nor would have been fairly suggested by the closest prior art of record.

The closest prior art of record, Redpath in view of Kamper, Acklen, Excel, and applicant admitted prior art, teach:

presenting a free floating field in line with text in a document, the free floating field containing content derived from a source, wherein a format applied to the text is automatically applied to the content within the free floating field (see *Redpath Fig. 8, col. 2 lines 45-53* → *i.e., math parts*);

changing, upon selection the free floating field, an appearance of the free floating field from an appearance of the text in the document to an appearance of a spreadsheet (*see applicant's admitted prior art – "OLE" on pg. 3*);

determining, upon selection of the free floating field, a type of content in the free floating field (*see Excel – pg 1*); entering content to the free floating field, wherein entering the content utilizes a formula edit box initially which initially defaults to a size and shape of the free floating field, but which dynamically resizes, as needed, as data is added (*see Acklen – pg. 265 et seq.*)

updating the content the free floating field automatically upon modification of the source (*see Redpath col. 1 lines 45 et seq.*).

However, the closest prior art of record, Redpath in view of Kamper, Acklen, and Applicant admitted prior art ("OLE"), does not explicitly teach or suggest "creating a second free floating field partly in response to user selection of at least a portion of the text of the document; wherein the second free floating field is configured to contain the selected portion of the text" and interpreting user entry in a free floating field as applicable to spreadsheet functions (formula or non-text data) or as applicable to word processing functions (not a formula or non-text data). The closest prior art fails to anticipate or render Applicant's limitation above obvious.

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Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB
6/21/06


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